

Remarks

I. Claims Status

Prior to this amendment, claims 1, 9, 11, 14 and 15 were pending. Claim 1 has been amended without prejudice and without conceding the Examiners position to delete the terms of “prodrug” and “solvate”. Claim 1 has been further amended to delete without prejudice the non-elected heteroaryl and heterocyclic groups from the R¹ definition.

No new matter has been added by these amendments.

II. Claim Rejections

a) 35 U.S.C. § 112 First Paragraph

Claim 1 stands rejected under 35 U.S.C. § 112 first paragraph. The Examiner contends that the prodrugs and solvates of the compounds of the invention are not enabled. Claim 1 has been amended to delete without prejudice and without conceding the Examiners position to delete the terms “prodrug” and “solvate”.

Applicants respectfully request reconsideration and withdrawal of this rejection.

b) 35 U.S.C. § 112 Second Paragraph

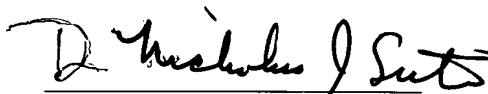
Claim 1 stands rejected under 35 U.S.C. § 112 second paragraph. The Examiner contends that the terms “prodrug” and “solvate” in claim 1 are indefinite. Claim 1 has been amended without prejudice and without conceding the Examiners position to delete the terms “prodrug” and “solvate”. Reconsideration and withdrawal of this rejection is respectfully requested.

Conclusion

It is believed that the application is now in condition for allowance. Favorable action is earnestly solicited. If the Examiner believes a telephonic interview would expedite the prosecution of the instant case she is invited to call the applicants representative whose contact information appears below.

The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment, to Deposit Account No. 16-1445. Two (2) copies of this sheet are enclosed herewith.

Date:

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Nicholas J. Sisti, Ph.D., J.D.

Senior Patent Agent

Reg. No. 54,453

Pfizer Inc
Patent Department
Eastern Point Road, MS8260-1611
Groton, Connecticut 06340
(860) 686-2883